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Dkt. 58323/JPW/PT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Wayne A. Hendrickson and Barry Honig  
Serial No.: 09/235,986  
Filed : January 22, 1999  
For : PROCESS FOR PAN-GENOMIC DETERMINATION OF  
MACROMOLECULAR ATOMIC STRUCTURES

1185 Avenue of the Americas  
New York, New York 10036

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION - FILING DATE GRANTED AND  
PETITION FOR A THREE MONTH EXTENSION OF TIME**

In response to a Notice to File Missing Parts of Application - Filing Date Granted issued in connection with the above-identified application on February 9, 1999, a copy of which is enclosed, Applicants hereby submit an original Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.63. The declaration refers to the application's above-identified serial number and filing date.

06/30/1999 AMOHAMME 00000077 09235986

01 FC:205  
02 FC:217

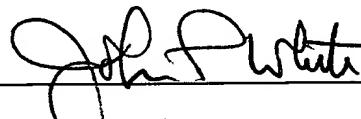
In accordance <sup>65.00 OP</sup><sub>435.00 OP</sub> the Notice, the deadline for submitting the Declaration and paying any fees required is two months from the date of the Notice, that is, April 9, 1999. Applicants hereby petition for a three-month extension of time from April 9, 1999 to July 9, 1999. The required fee for a three-month extension

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of time is FOUR HUNDRED THIRTY-FIVE DOLLARS (\$435.00) for a small entity and a check including that amount is enclosed. Accordingly, this Response is being timely filed.

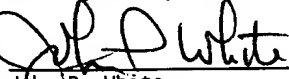
The surcharge for submitting the Declaration and paying any fees under 37 C.F.R. §1.16(e) is SIXTY-FIVE DOLLARS (\$65) for a small entity, and a check in the amount of FIVE HUNDRED DOLLARS (\$500.00) which includes the surcharge of \$65.00 and for the \$435.00 fee for a three-month extension of time is enclosed. No fee, other than the \$65.00 surcharge fee under 37 C.F.R. §1.16(e) and the \$435.00 fee for a three-month extension of time, is deemed necessary in connection with the filing of this Response. If any other fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231.

 6/25/99  
John P. White Date  
Reg. No. 28,678

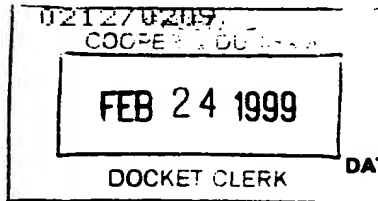


Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

# 3

APPLICATION NUMBER & FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/235,986 01/22/99	HENDRICKSON	W 58323/JPW/PT

COOPER & DUNHAM  
1185 AVENUE OF AMERICAS  
NEW YORK NY 10036



NOT ASSIGNED

1646

DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

02/09/99  
4/9/99  
8/9/99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$55.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ small entity (statement filed) ☐ non-small entity is \$ 25.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
  - ☐ insufficient.
- Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.
- \$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.
- \$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.
- \$ \_\_\_\_\_ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
  - ☐ does not cover the newly submitted items.
  - ☐ does not identify the application to which it applies.
  - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY